

The Examiner contends that Seamons et al. teaches a surface treatment gas is evacuated within a chamber thereby decreasing a pressure within the chamber while injecting a moisture displacing nitrogen gas into the chamber. However, Seamons et al. provides no teaching of how the treatment gas exits the chamber. Rather, in Seamons et al., the nitrogen gas to remove residues is introduced after the wafer and presumably the surface treatment gas have been removed from the chamber. See col. 2, lines 66-67 through col. 3, lines 1-6.

Therefore, Seamons et al. does not teach all of the features of claim 1, which recites in part, “drawing out the surface treatment gas from the chamber while injecting a nitrogen gas into the chamber,” (emphasis added) and claim 13, which recites in part, “withdrawing said treatment gas from said chamber while injecting a moisture displacing gas into said chamber” (emphasis added).

Accordingly, claims 1 and 13 are allowable over the prior art. Regarding dependent claims 4 and 14-15, these claims are allowable for at least the reasons of their corresponding independent claims. Therefore, Applicant respectfully requests removal of this rejection.

Claims 2, 3 and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seamons et al. in view of Bellows et al. (U.S. Patent No. 5,728,602). Applicant respectfully traverses this rejection.

Seamons et al. and Bellows et al., either alone or in combination, fail to teach all of the features of claims 2, 3 and 16. As discussed above, Seamons et al. fail to teach all of the features of base claims 1 and 13 from which claims 2, 3 and 16 depend.

Bellows et al. fail to make up for the deficiencies of Seamons et al. Bellows et al. arguably teaches a purge process for semiconductor manufacturing. In particular, Bellows et al. teaches

removing all the gas in a chamber with a vacuum, prior to introducing nitrogen into the chamber. Therefore, Bellows et al. does not teach at least the features of claims 1 and 13 as discussed above.

Accordingly, claims 2, 3 and 16 are allowable over the prior art of record. Thus, Applicant respectfully requests removal of this rejection.

Claims 5 and 9-12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Seamons et al. in view of the prior art of the disclosure as discussed in pages 1-4 of the specification.

Initially, Applicant notes that the art discussed on pages 1-4 of the specification is labeled “Background Art,” and is not prior art. Further, Applicant does not admit that the Background Art qualifies as prior art. If the art discussed on pages 1-4 were indeed “prior art,” Applicant would have used the term “prior art,” which has a specific legal definition to refer to the art. Instead Applicant referred to the art as “Background Art” which does not encompass or have a specific definition of prior art.

Even assuming *arguendo* that the background art is prior art, Seamons et al. and the background art, either alone or in combination, fail to teach all of the features of claims 5 and 9-12. As discussed above, Seamons et al. does not teach all of the features of claim 1 from which claims 5 and 9-12 depend. Additionally, the background art fails to make up for the deficiencies of Seamons et al.

Accordingly, claims 5 and 9-12 are allowable over the prior art, and Applicant respectfully requests removal of this rejection.

Claims 6-8 have been rejected under 35 U.S.C. §. 103(a) as being unpatentable over Seamons et al. Applicant respectfully traverses this rejection.

As discussed above, Seamons et al. fail to teach all of the features of base claim 1, from which claims 6-8 depend. Accordingly, claims 6-8 are allowable over the prior art, and Applicant respectfully requests removal of this rejection.

**CONCLUSION**

In view of the foregoing, Applicant submits that claims 1-16 are patentable over the relied upon references, and that the application as a whole is in condition for allowance. Early and favorable notice to that effect is respectfully solicited.

In the event that any matters remain at issue in the application, the Examiner is invited to contact Jayne Saydah (Reg. No. P-48,796) at (703) 205-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

Gary D. Yacura  
Reg. No. 35,416

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GDY/JES:ewd:jes:lmh